

November 11, 2019

A regular meeting of the Village Board held on the above date was called to order at 6:00 p.m. at the Village Hall, 1 West Main Street, Clifton Springs, NY 14432.

Presiding: Jeff Linsner, Deputy Mayor

Board Members Present: Jim Keyes, Earl Lincoln

Board Members Absent: Mayor Bill Hunter, Trustee Bryan Gray

Also Attending: Police Chief Scott Upchurch, Village residents, Bill Kramp, Donna Kramp, Brian Rickerson, John Pike and Dale Janas

Minutes: The minutes of the meeting of October 14, 2019 were approved upon motion by Trustee Keyes 2nd by Lincoln. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #315 through #493 approved for payment by Trustee Lincoln 2nd by Trustee Keyes. All members present voting AYE. Carried.

General Fund =	\$ 55,728.84
Water Fund =	\$ 6,784.76
Sewer Fund =	\$ 22,890.81

PRIVILEGE OF THE FLOOR:

**PUBLIC HEARING ON PROPOSED LOCAL LAW TO AUTHORIZE
“NO PARKING” ON THE NORTH SIDE OF EAST MAIN STREET FROM TEFT
AVENUE TO SHERMAN STREET AND
“NO PARKING” ON THE WEST SIDE OF BROAD STREET**

Deputy Mayor Linsner opened the public hearing at 6:00 PM. This public hearing was property advertised in THE DAILY MESSENGER on October 18, 2019. Deputy Mayor Linsner opened the floor for comments and questions.

Donna Kramp questioned what is the issue that brought the “No Parking” proposal to this point. Deputy Mayor Linsner explained that there had been an issue with emergency vehicles trying to get through on East Main Street.

Mrs. Kramp informed the Board that she has taken pictures at various times over the last couple of weeks on East Main Street and at most times there are no vehicles parked on the street, except for a couple cars.

Police Chief Upchurch explained that there is a van and car parked near Sherman Street and these cars are causing a problem. Chief Upchurch stated he has had complaints about these cars and that people cannot see when exiting off Sherman Street onto East Main Street.

Mrs. Kramp asked if a traffic study had been done? Chief Upchurch stated no traffic study had been completed.

Chief Upchurch stated that Mayor Hunter had asked Chief Upchurch to re-visit the proposed local law. Chief Upchurch looked at the areas being discussed and had a different proposal. Chief Upchurch presented the following recommendations:

Location #1 – East Main Street on the north side of the street no parking starting at the curb line of Sherman Street proceeding 200’ west of that intersection. Chief Upchurch explained that he has received numerous complaints about obstructed view due to parked vehicles while you enter East Main Street from Sherman Street.

Meeting of November 11, 2019 continued:

Location #2 – East Main Street on the north side of the street no parking across from Pearl Street 100' east and west of the centerline of Pearl Street. Chief Upchurch explained that this location is very congested during daylight hours.

Location #3 – East Main Street on the north side of the street no parking for 145' starting at the curb line of Teft Avenue proceeding east. Chief Upchurch explained that currently there is no parking in this area for 30 feet.

Location #4 – Broad Street on the east and west sides of the street no parking for 175' (closest intersection East Main Street). Chief Upchurch explained that currently in this location both side of the street are no parking for 30' feet. Chief Upchurch explained that currently on the west side of Broad Street, the no parking signs originally went to the first driveway which is about 125' however the signs are no longer in place. Chief Upchurch will work with Supervisor Lannon on having the missing no parking sign(s) re-installed.

Mrs. Kramp stated that she does not feel there is a problem on East Main Street, near St. John's Church. Chief Upchurch explained that there are problems that have occurred in this area (location #3 above). The problems have included difficulty with an emergency vehicle and a school bus when cars are parked in certain areas on East Main Street, particularly near Teft Avenue and near Sherman Street.

Mrs. Kramp stated she is more concerned about the intersection of Crane Street and Main Street.

Mrs. Kramp presented the Board a map of the Village of Clifton Springs streets that show what streets have "No Standing" signs, "No Parking" signs, "No Parking 12am – 6am" signs and "No Parking" signs.

Mrs. Kramp presented a petition with 65 signatures on it from people who do not support the proposed law. The signatures are primarily from Broad Street residents, East Main Street residents and people who use St. John's Church.

Mrs. Kramp stated she is concerned that if "No Parking" is in place near the corner of East Main Street and Sherman Street on the north side, that the two vehicles in questions, will park on the south side of the East Main Street.

Chief Upchurch explained that if these cars moved across the street, that the intersection would become safer.

Chief Upchurch explained that with his suggestions he is not trying to make things more difficult, he is trying to make things safer.

Mr. Rickerson stated that he can attest that the area in question by St. John's Church is very tight and that he has been through that area in an emergency vehicle and it can be difficult. Mr. Rickerson stated that he assumes it must be very hard for a fire truck or ambulance to get through that area.

Mrs. Kramp questioned where would the residents who live at the Burke block park? Chief Upchurch explained that the residents should be parking on property owned by the landlord.

Mrs. Kramp stated she is also concerned about where the people who use the church will park. Mrs. Kramp is also concerned about parking during the festivals.

Chief Upchurch explained that the Village could create the law to allow parking for set hours on Sunday mornings if they wanted. Mrs. Kramp stated that at many different times that FLACRA uses the church as well for meetings.

Meeting of November 11, 2019 continued:

Mrs. Kramp stated that she does not feel there is an issue on East Main Street or Broad Street, and she feels nothing needs to change.

Mr. Pike stated that at this time a couple additional cars are parked regularly on East Main Street because they are having a garage built.

Deputy Mayor Linsner asked the Board if they would like to further discuss the locations proposed by Chief Upchurch so that a direction could be given to the Village Attorney.

Trustee Lincoln stated he drives the Village streets on a regular basis, and he does not see a problem with the parking.

Deputy Mayor Linsner suggested that the Board table this discussion until December when a full Board is present. All members present agreed.

Motion was made by Trustee Keyes 2nd by Trustee Lincoln to close the public hearing at 6:40 pm and to not proceed with the proposed local law. All members present voting AYE. Carried.

PUBLIC HEARING ON PROPERTY TAX CAP OVERRIDE

Deputy Mayor Linsner opened the public hearing at 6:30 PM. No person's present appeared before the Board to discuss the proposed local law. This local law was properly advertised in THE DAILY MESSENGER on October 18, 2019. After review by the Village Board, motion was made by Trustee Lincoln 2nd by Trustee Keyes to close the public hearing at 6:45 PM and to adopt local law 1-2019. All members present voting AYE. Carried.

RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CLIFTON SPRINGS OF LOCAL LAW NO. 1 OF 2019

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Clifton Springs for a public hearing to be held by said Board of Trustees on November 11, 2019, at 6:30 p.m. at the Village Hall, 1 West Main Street, Clifton Springs, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village of Clifton Springs, on October 18, 2019 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on November 11, 2019, at 6:30 p.m. at the Village Hall, 1 West Main Street, Clifton Springs, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Board of Trustees of the Village of Clifton Springs, after due deliberation, finds it in the best interest of the Village of Clifton Springs to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Clifton Springs hereby adopts said Local Law No.1 of 2019, entitled, "A Local Law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Village Clerk/Treasurer be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Clifton Springs, and to give due notice of the adoption of said local law to the Secretary of State of New York.

Meeting of November 11, 2019 continued:

I, Lori Reals, Village Clerk/Treasurer of the Village of Clifton Springs do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Clifton Springs on November 11, 2019 by the following vote:

	Aye	Nay
William Hunter		was not present
Earl Lincoln	X	
Jeffrey Linsner	X	
James Keyes	X	
Bryan Gray		was not present

Dated: November 12, 2019

Lori Reals, Village Clerk/Treasurer

SEAL

Village of Clifton Springs
Local Law No. 1 of the year 2019

A local law to override the tax levy limit established in General Municipal Law §3-c

Be it enacted by the Village Board, Village of Clifton Springs as follows:

Section 1: Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Village of Clifton Springs, County of Ontario pursuant to General Municipal Law §3-c, and to allow the Village of Clifton Springs to adopt a village budget for (a) village purposes (b) fire protection districts and fire departments and (c) any other special or improvement district governed by the village board for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2: Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the village board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the village board.

Section 3: Tax Levy Limit Override

The Village Board of the Village of Clifton Springs, County of Ontario, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Meeting of November 11, 2019 continued:

Carl Falkowsky – 50 Pearl Street – goats and chickens

Carl Falkowsky and family, 50 Pearl Street, appeared before the Board to discuss goats and chickens at their property. This is a follow up from the last Board meeting, where the Board did not grant permission for the Falkowsky's to have 3 goats and 6 chickens.

Carl Falkowsky explained that they had the goats and chickens when they wrote the letter of request. Mr. Falkowsky stated that they meant no dis-respect, the Falkowsky's did not realize they needed permission when they got the additional animals.

The Village previously granted permission for the Falkowsky's to have 3 horses. Mr. Falkowsky explained that the property has plenty of land and the purpose of the goats is to help with overgrowth and poison ivy. The purpose of the chickens is to help reduce ticks.

Deputy Mayor Linsner explained that the Board is concerned about starting a precedent if they granted permission for goats.

Mr. Falkowsky stated that there are no close neighbors, except to the north.

Trustee Keyes questioned the disposal of animal waste. Mr. Falkowsky explained that about 10% is used as compost. The remainder is placed in a dumpster and covered, and a disposal company disposes of the remainder on a regular basis. Mr. Falkowsky explained this dumpster is near the barn and does not create any foul odor.

The Board decided to temporarily allow the Falkowsky's to house the goats until the December 9, 2019 Board meeting, when a full Board is present for discussion. The Board had previously given the Falkowsky's 30 days to remove the goats.

Mr. Falkowsky will plan to attend the December 9, 2019 Board meeting.

CORRESPONDENCES:

Proposed Local Law for “No Parking” law - Broad Street and East Main Street

Copy of proposed local law. This proposed local law is to authorize “No Parking” on the north side of East Main Street from Teft Avenue to Sherman Street and “No Parking” on the west side of Broad Street.

Reviewed at the public hearing and NOT approved as written.

Proposed Local Law – allowing the ability to exceed the property tax cap if necessary

Copy of proposed local law regarding the ability to exceed the property tax cap.

Reviewed and adopted at the public hearing held earlier in this meeting. The Village has this law in place in case it is necessary to exceed the tax cap and as protection for the Village in the event of a math error in the formula.

Re-levy of unpaid taxes

Copy of the list of unpaid Village taxes for 2019-2020.

Motion was made by Trustee Lincoln 2nd by Trustee Keyes to turn over the unpaid taxes.

RESOLVED, by the Board of Trustees of the Village of Clifton Springs, NY, pursuant to local law 6-1977 of the County of Ontario, a local law to provide for the collection of delinquent village taxes by the County Treasurer and methods of payment of such village property taxes so collected and that the Village Clerk be and she is hereby authorized and directed to transmit a detailed listing of unpaid village property taxes to the Treasurer of Ontario County, and that the Village Board of Trustees of the Village of Clifton Springs NY respectfully requests that the Treasurer of Ontario County collect all

unpaid village property taxes as provided for in local law number 6-1977 to the County of Ontario. All members present voting AYE. Carried.

Meeting of November 11, 2019 continued:

March 18, 2019 Election Notice

Copy of the public notice to begin the special election process for the March 18, 2020 election. This is for the seat vacated by Dan Blondell and held by Trustee Bryan Gray.

At the regular meeting of the Board of Trustees of the Village of Clifton Springs the following resolution was offered by Trustee Lincoln 2nd by Trustee Keyes who moved its adoption. All members present voting AYE.

WHEREAS, the next special Village Election for Officers will be held on Wednesday, March 18, 2020 (Election Law, Sec. 15-104, Sub 3 (a), and

WHEREAS, the Board of Trustees must designate by resolution and publish the offices which are to be filled in such election and the terms thereof.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees designates the following offices as vacant at the end of the current official year, April 6, 2020 to be filled at the special Village Election to be held on Wednesday, March 18, 2020 for the following terms:

Trustee – one (1) year term (Incumbent Bryan Gray)

This resolution shall take effect immediately.

Ontario County Shared Services Savings Plan

A copy of the Shared Services Savings Plan from Ontario County. The Mayors, Supervisors and School districts will meet on November 20, 2019 to adopt the plan.

Reviewed.

Solar Savings for 2018

A chart of the solar savings for 2018, prepared by American Electric Power.

Reviewed. American Electric Power shows the Village saved \$3,771 in 2018.

Planning Board meeting minutes from October 9, 2019

Copy of the Planning Board meeting minutes from October 9, 2019.

Reviewed.

Zoning Board meeting minutes from October 21, 2019

Copy of the Zoning Board meeting minutes from October 21, 2019.

Reviewed.

Copy of the legal ad for the special use request from Jeff Sitter -35 Crane Street to convert his home from a single family to a two- family

Copy of the legal ad for Jeff Sitter, 35 Crane Street.

Mr. Sitter would like to convert his single-family home to a two-family home. The Planning Board is reviewing this request.

Copy of the legal ad for the Delong Company, 48 Railroad Avenue for final site plan

Copy of the legal notice for The Delong Company for final site plan for the beanery.

The Planning Board will begin the final site plan process on November 13, 2019.

Newsletter from Ontario County Humane Society

Copy of a newsletter from Happy Tails, Ontario County Humane Society.

Clerk Reals mentioned that the Humane Society did a newsletter years ago, it appears under new management, they are re-instituting this. The Board was pleased to see this.

Meeting of November 11, 2019 continued:

Certificate of Liability for “Night Terrors”

Copy of the Certificate of Liability for Coby Reals “Night Terrors”.

Reviewed. The Village has always required that this fund raiser be privately insured.

STREET DEPARTMENT: Trustee Lincoln reported the following:

Miscellaneous items

Equipment is ready for winter. In the recent windstorm two trees sustained damage and several veteran’s banners need repair or replacement. The fall festival went well, and street sweeping was done. The crew is working on debris pick up. Christmas decorations will be put up the week of November 18, 2019.

WATER DEPARTMENT: Trustee Lincoln reported the following:

Supervisor Lannon is working with three potential meter companies. Supervisor Lannon is looking at what the best option for the Village would be and will be obtaining quotes to switch to new meters. The meters that the Village recently installed through- out the Village are no longer available.

SEWER DEPARTMENT: Trustee Keyes reported the following:

Ashton Place lift station

The computer at the Ashton Place lift station failed. Supervisor Merkley manually monitored the station to make sure no issues occurred. The cost to replace the computer is \$3,300, plus instillation.

Possible food waste grant

Trustee Keyes recently spoke with former Trustee Dan Blondell. Trustee Keyes indicated that former Trustee Blondell thought that the Village could afford to do both the food waste project and the disinfection project. As the entire Board was not present the Board agreed to table this discussion until the full Board is available. This item will be on the December agenda and Hunt Engineering plans to be present.

ZONING & PLANNING DEPARTMENTS: See correspondences.

FIRE DEPARTMENT: Trustee Linsner reported the following:

Generator

Trustee Linsner indicated that the generator at the fire house is an issue. Clerk Reals informed the Board that Emergency Power Systems has been indicating the generator needs serious work or replacement. The fire department is working on estimates. The generator is original to the fire house.

PARK – YOUTH DEPARTMENT: Nothing was reported.

SOCIAL MEDIA: Trustee Keyes reported the following:

New Village Website

Nothing new was reported.

POLICE DEPARTMENT: See privilege of the floor for discussion on “No Parking” on Broad Street and East Main Street – Local Law NOT adopted.

MAYOR HUNTER REPORT: Mayor Hunter was not present.

CLERK REALS REPORT: Clerk Reals provided the Board with zoning violation letters, payroll worksheets, fire department report for October, court reports for October, year to date expenses and revenues and bank statements for October 2019.

Meeting of November 11, 2019 continued:

Class action law - suit on opioid crisis

Clerk Reals discussed with the Board a class action lawsuit that includes all municipalities pertaining to the opioid crisis. The Village could opt out of this class action suit. The Board agreed the Village will remain in the suit – no action is needed unless the Village decided to opt out. Attorney Graff has reviewed this item.

Adjournment

There being no further business to come before the Board, motion made by Trustee Lincoln 2nd by Trustee Keyes to adjourn. All members present voting AYE. Meeting adjourned at 7:10 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer